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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,315	12/04/2003	Satoshi Okamura	B588-038	9365

26272 7590 07/30/2007
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EXAMINER

PETERSON, CHRISTOPHER K

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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07/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/728,315

Applicant(s)

OKAMURA, SATOSHI

Examiner

Christopher K. Peterson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. The amendment filed on May 10, 2007 has been entered and considered by examiner. Claims 1 and 9 have been cancelled. Claims 10 – 11 are pending.

Drawings

2. Figures 4, 5, and 7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.
4. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (Figures 4, 5, and 7) in view of Nagai (US Patent Pub. # 2001/0010561).

As to claim 10, A.A.P.A. (Fig. 4 and 7) teaches a digital still camera, comprising:

- a controller (system control circuit 406) that controls an electronic flash (410) which can change an irradiation angle at a time of a light emission (Para 5 –8);
- an image sensing device (103) having a photoelectric conversion function (Para 38);
- an optical zoom unit (zoom-lens control circuit 407) that drives a zoom lens (402) based on focal length information (Para 15 and 16); and
- an electronic zoom unit that performs enlarge processing on signals obtained by said image sensing device based on view-angle scaling information (Para 14 - 16),
- wherein said controller (406) controls said irradiation angle based on said focal length information when said zoom lens (402) has not reached a telephoto limit or a wide-angle limit (Para 15 and 16),

A.A.P.A. does not teach said controller controls said irradiation angle based on said view-angle scaling information when said zoom lens has reached the telephoto limit or the wide-angle limit. Nagai teaches said controller controls said irradiation angle based on said view-angle scaling information (Para 40 – 43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a controller that controls said irradiation angle based on said view-angle scaling information as taught by A.A.P.A. to the camera of Nagai, because the strobe light-emission unit is controlled so as to illuminate the portion of the subject that corresponds to the image within the designated electronic

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zoom area. As a result, even an electronically zoomed image becomes comparatively easier to see (Para 9 and 10 of Nagai).

As to claim 11, A.A.P.A. teaches the digital still camera according to claim 10, wherein zoom information is generated in accordance with an operation of a zoom key, and said focal length information and said view-angle scaling information are generated from said zoom information (Para 14 - 16).

Response to Arguments

5. Applicant's arguments with respect to claims 10 and 11 have been considered but are moot in view of the new ground(s) of rejection.

In view of amendment, the reference of Nagai (US Patent Pub. # 2001/0010561) has been added for new ground rejection

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kobayashi (US Patent # 6,334,028) is cited to teach a photo printing system and camera for the same. Insofar as the structure of the application is recited, Kobayashi teaches the claimed invention, but uses a film camera.

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7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher K. Peterson whose telephone number is 571-270-1704. The examiner can normally be reached on Monday - Friday 6:30 - 4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CKP
20 July 2007



NGOC-YEN VU
SUPERVISORY PATENT EXAMINER